

Act No. 17  
Public Acts of 2018  
Approved by the Governor  
February 12, 2018  
Filed with the Secretary of State  
February 13, 2018  
EFFECTIVE DATE: May 14, 2018

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2018**

Introduced by Reps. Cole, Rendon, Hoitenga, Hornberger, Allor, Dianda and Chirkun

# **ENROLLED HOUSE BILL No. 4644**

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 725 (MCL 257.725), as amended by 2016 PA 454.

*The People of the State of Michigan enact:*

Sec. 725. (1) Upon receipt of a written application and good cause being shown, a jurisdictional authority may issue a written special permit authorizing an applicant to operate upon or remove from a highway maintained by that jurisdictional authority a vehicle or combination of vehicles that are any of the following:

- (a) Of a size, weight, or load exceeding the maximum specified in this chapter.
- (b) Otherwise not in conformity with this chapter.

(2) The application for a special permit shall be on a form prescribed by the jurisdictional authority and shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular highways upon which the special permit to operate is requested.

(3) A jurisdictional authority may issue a special permit and charge a fee that does not exceed the administrative costs incurred authorizing the operation of the following upon a highway:

- (a) Traction engines or tractors having movable tracks with transverse corrugations upon the periphery of those movable tracks on farm tractors.
- (b) Other farm machinery otherwise prohibited under this chapter.
- (c) A vehicle of a size or weight otherwise prohibited under this chapter that is hauling farm machinery to or from a farm.

(4) A special permit shall specify the trip or trips and date or dates for which it is valid and the jurisdictional authority granting the special permit may restrict or prescribe conditions of operation of a vehicle or vehicles, if necessary, to protect the safety of the public or to ensure against undue damage to the road foundations, surfaces, structures, or installations, and may require a reasonable inspection fee and other security as that jurisdictional authority determines necessary to compensate for damages caused by the movement. A special permit may be issued on an annual basis. Except as otherwise provided in this section, the fee charged by the state transportation department for an intrastate or an out-of-state vehicle for a single trip shall be \$50.00 and for multiple trips or on an annual basis shall be \$100.00. Except as otherwise provided in this section, the fee charged by the state transportation department for an intrastate or an out-of-state vehicle for a permit issued under subsection (11) shall be \$264.00. Except as otherwise provided in this section, the fee charged by a jurisdictional authority other than the state transportation department for an intrastate or an out-of-state vehicle for a single trip shall be not more than \$50.00 and for multiple trips or on an annual basis shall be not more than \$100.00. Effective October 1, 1998, the fee charged by a jurisdictional authority other than the state transportation department for a special permit under this subsection shall be the fee charged on September 30, 1997. The fee charged by a jurisdictional authority other than the state transportation department for a special permit under this subsection may be increased above the amount charged on September 30, 1997 subject to the maximums allowed by this subsection subject to a prior public hearing with reasonable notice. However, the fee charged by a jurisdictional authority other than the state transportation department for a special permit under this subsection that is more than \$50.00 for a single trip or that is more than \$100.00 for multiple trips or on an annual basis, or both, on September 30, 1997 shall not be increased.

(5) The fee charged by the state transportation department for an intrastate or an out-of-state vehicle or combination of vehicles that exceed the maximum size specified in this chapter but do not exceed the maximum weight or load specified in this chapter or are otherwise not in conformity with this chapter shall be \$15.00 for a single trip and \$30.00 for multiple trips or on an annual basis. The fee charged by the state transportation department for an intrastate or out-of-state vehicle or combination of vehicles that exceed the maximum size specified in this chapter but do not exceed the maximum weight or load specified in this chapter or are otherwise not in conformity with this chapter for a permit issued under subsection (11) shall be \$264.00. The fees charged under this subsection may be increased not more than once each year based on the percentage increase in the United States consumer price index for all urban consumers for the immediately preceding 12-month period rounded to the nearest whole dollar. This subsection takes effect October 1, 1998.

(6) The fee charged by a jurisdictional authority other than the state transportation department for an intrastate or an out-of-state vehicle or combination of vehicles of a size exceeding the maximum specified in this chapter but not exceeding the maximum weight or load specified in this chapter shall not exceed the administrative costs incurred by that jurisdictional authority in issuing the permit. This subsection takes effect October 1, 1998.

(7) A special permit issued under this section shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by a police officer or authorized agent of a jurisdictional authority granting the special permit. A person shall not violate any of the terms or conditions of the special permit.

(8) A person who violates this section is responsible for a civil infraction.

(9) A jurisdictional authority issuing a special permit to move a mobile home under this section and a person who is issued a special permit to move a mobile home under this section are subject to section 719a.

(10) Nothing in this section shall be construed to allow a jurisdictional authority to impose fees upon or enact regulations regarding a vehicle or combination of vehicles engaged in silvicultural operations if the vehicle or combination of vehicles is not in excess of the size, weight, or load maximums specified in this chapter and is otherwise in conformity with this chapter. This subsection does not excuse a vehicle or combination of vehicles engaged in silvicultural operations from the seasonal weight reductions described in section 722.

(11) Beginning no later than 2 years after the effective date of the 2018 amendatory act that added this subsection, the state transportation department shall allow an applicant to obtain an annual permit for the movement of construction equipment under this section to exceed the size, load, or size and load maximums specified in this chapter for a power unit without requiring a separate permit for each individual piece of equipment carried by that power unit.

(12) Beginning no later than 2 years after the effective date of the 2018 amendatory act that added this subsection, all of the following apply to an annual permit for the movement of construction equipment issued by the state transportation department under subsection (11):

(a) The permit may be stored and presented by the holder of the permit using a mobile device.

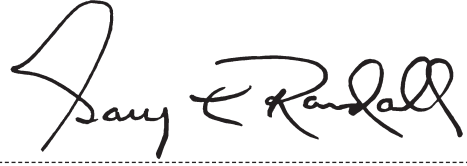
(b) The permit shall not contain any restrictions on daily operating hours and shall only include Memorial Day weekend, the Fourth of July holiday, and Labor Day weekend as restricted holidays. Except as otherwise provided in this subdivision, the permit shall not restrict travel on weekends. The permit may contain restrictions on travel when the permit holder is traveling within a county that has a population greater than 150,000. The restricted holidays described in this subdivision do not apply to a permit issued for a vehicle used to transport an implement of husbandry.

(c) The permit shall not require travel of more than 10 miles per hour below the posted speed limit.

(13) As used in this section, “jurisdictional authority” means the state transportation department, a county road commission, or a local authority having jurisdiction over a highway upon which a vehicle is proposed to be moved pursuant to a permit required under this section.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor